

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.405 OF 2007

Laxman alias Lakshya	...Applicant
Subhash Chavan	
Vs.	
State of Maharashtra	...Respondent

Mr.Jagdish Nagar, Advocate, for the Applicant.
Mr.U.V.Nikam, APP for the State.

CORAM : J.H. BHATIA, J.
Date : March 1, 2007.

P.C. :

. Heard Mr.Nagar, learned counsel for the applicant and Mr.Nikam, APP for the State. Perused the papers.

. According to prosecution theft of property worth more than Rs.3 lacs was committed from a godown and Crime No.175 of 2006 came to be registered at Narpoli Police Station, Bhiwandi.

. During the investigation whole of the stolen property came to be recovered from another accused namely one Imran on the basis of information given by another accused Devraj.

. According to prosecution the property was actually stolen by the present applicant and his companions, including Devraj, and that property was sold to Imran from whom the property was finally recovered. There is no recovery on the basis of

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information given by the present applicant.

. According to prosecution there are five more cases registered against the present applicant. However in each of those cases he is granted bail. The learned Sessions Judge rejected the bail application mainly on the ground that the applicant is not local resident as he happens to be from District Gulbarga in Karnataka. Bail cannot be refused merely because the person is not local resident. Purpose can be served if his presence is secured at the time of trial.

. The applicant be released on his executing P.R. of Rs.15,000/- with one local surely in like amount with the conditions that he shall fully co-operate with police and he shall also report at Narpoli Police Station on every Sunday between 3 to 6 P.M. till the end of the trial.

(J.H. BHATIA, J.)